

FISCAL NOTE

SB 2851 - HB 3654

February 6, 2008

SUMMARY OF BILL: Establishes a process for a property owner who may be the victim of a wrongful lien to seek an injunction against the enforcement of such a lien. Requires the Administrative Office of the Courts (AOC) to develop and provide forms to the court clerks for petitions, ex parte civil wrongful lien injunctions and service.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Not Significant

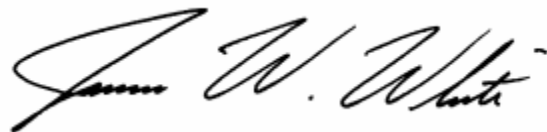
Increase Local Expenditures – Not Significant

Assumptions:

- The AOC will not require additional resources to develop and provide new forms to the court clerks.
- While this bill would establish a new remedy for handling wrongful liens, it is unlikely matters involving wrongful liens are not currently being litigated. It is estimated the caseloads of the court will not be impacted significantly as a result of this bill.
- The court clerks and the county register's offices will incur a not significant increase in costs for providing the appropriate forms and for mailing copies of this legislation to property owners against whom a lien was filed or recorded.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White".

James W. White, Executive Director

/lsc